

### § 3584.0-3

U.S.C. 601 *et seq.*), subject to the conditions and limitations on occupancy and operations prescribed for leases in this subpart.

[51 FR 15213, Apr. 22, 1986; 51 FR 25204, July 11, 1986]

## **Subpart 3584—Reserved Minerals in Lands Patented to the State of California for Park or Other Public Purposes**

### **§ 3584.0-3 Authority.**

Authority for leasing reserved minerals in certain lands patented to the State of California for park or other purposes is cited under § 3500.0-3(c)(2) of this title.

### **§ 3584.1 Lands to which applicable.**

The regulations in this subpart apply to certain lands patented to the State of California for park and other public purposes.

### **§ 3584.2 Minerals to be leased.**

Leasable and hardrock minerals are subject to lease under this subpart.

### **§ 3584.3 Other applicable regulations.**

Subject to regulations in this subpart, the regulations in parts 3500, 3510, 3520, 3530, 3540, 3550 and 3560 of this title shall govern the leasing of all leasable and hardrock minerals within the area.

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### **§ 3584.4 Notice of application.**

The authorized officer shall notify the surface owner of each application received. Notice of any proposed competitive lease sale shall be given to the surface owner prior to publication of notice of sale. Should the surface owner object to leasing of any tract for reasons determined by the authorized officer to be satisfactory, the application shall be rejected and the lands shall not be offered for lease sale.

### **§ 3584.5 Protection of surface.**

All leases issued pursuant to this subpart shall be conditioned upon compliance by the lessee with all the laws, rules and regulations of the State of California for the safeguarding and pro-

### **43 CFR Ch. II (10-1-06 Edition)**

tection of plant life, scenic features and park or recreational improvements on the lands, where not inconsistent with the terms of the lease or this section. The lease also shall provide that any mining work performed upon the lease shall be located in accordance with any requirements of the State necessary for the protection of the surface rights and uses and so conducted as to result in the least possible injury to plant life, scenic features and improvements and that, upon completion of the mining operation, all excavations, including wells, shall be closed and the property shall be conditioned for abandonment to the satisfaction of the surface owner. The lease shall further provide that any use of the lands for ingress to and egress from the mine shall be on a route approved in writing by the State's authorized representative.

### **§ 3584.6 Terms of lease.**

Leases for hardrock minerals shall issue for a period of 5 years with a preference in the lessee for renewal for a term of 5 years at the end of the initial term and at the end of each 5 year period thereafter (See subpart 3566).

## **Subpart 3585—White Mountains National Recreation Area, Alaska**

### **§ 3585.0-3 Authority.**

(a) Authority for leasing minerals in the White Mountains National Recreation Area—Alaska is found in § 3500.0-3(c)(5) of this title.

(b) Authority for approving exploration licenses is section 302(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(b)).

### **§ 3585.1 Lands to which applicable.**

The lands subject to the regulations in this subpart are within the White Mountains National Recreation Area—Alaska which have been opened to mineral leasing and development pursuant to the findings in the land use plan for the area that such use and development would be compatible with, or would not significantly impair, public recreation and conservation of the scenic, scientific, historic, fish and wildlife or other values contributing to public enjoyment. The land use plan is

## Bureau of Land Management, Interior

## § 3585.5-1

on file and available for public inspection in the Bureau's Fairbanks District Office.

### § 3585.2 Other applicable regulations.

#### § 3585.2-1 Leasable minerals.

Leasing of deposits of leasable minerals shall be governed by the applicable regulations in parts 3500, 3510, 3520, 3530, 3540 and 3550 of this title.

#### § 3585.2-2 Hardrock minerals.

Except as otherwise specifically provided in §§ 3585.3 and 3585.4 of this title for mining claimant preference right leases, the regulations in parts 3500 and 3560 of this title shall govern the leasing of hardrock minerals.

### § 3585.3 Mining claimant preference right leases.

#### § 3585.3-1 Who may obtain a mining claimant preference right lease.

Where, consistent with the land use plan, the Secretary has opened the area to mineral leasing and development, the holder of an unperfected mining claim within the White Mountains National Recreation Area—Alaska which was, prior to November 16, 1978, located, recorded and maintained in accordance with applicable Federal and State laws on lands located within the recreation area is entitled to a lease for the removal of the hardrock minerals from the mining claim(s), provided such mining claimant submits a timely application.

#### § 3585.3-2 Application.

(a) An application for a mining claimant preference right lease shall be filed in triplicate in the Fairbanks District Office, Bureau of Land Management, P.O. Box 1150, Fairbanks, Alaska 99707, by the holder of an unperfected mining claim(s), within 2 years from the date the lands are opened to mineral leasing and development.

(b) No specific form is required.

(c) Each application shall be signed in ink by the applicant and shall include the following:

- (1) The applicant's name and address;
- (2) The serial number for each claim for which the application is made;

(3) The name of the mineral(s) for which the lease is sought; and

(4) A separate map on which the claim(s) is clearly marked.

(d) A single application may embrace any number of unperfected mining claims provided that, in the aggregate, the claims do not exceed 640 acres. The claims shall be contiguous and shall be located entirely within an area 6 miles square. Multiple applications may be submitted.

### § 3585.4 Leases.

#### § 3585.4-1 Survey for leasing.

Prior to the issuance of a lease under this subpart, the applicant, at his/her own expense, shall be required to have a correct survey made under authority of a cadastral engineer, such survey to show the exterior surface boundaries of the entire lease tract, not each individual mining claim where more than one claim is involved, which boundaries are to be distinctly marked by monuments on the ground. Application for authorization of survey shall be made in accordance with subpart 1821 of this title.

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#### § 3585.4-2 Terms and conditions.

Leases shall be issued on a form approved by the Director and under such terms and conditions as prescribed in the lease form and subpart 3561 of this title. Where deemed necessary by the authorized officer, special lease stipulations also shall be included for the protection of the surface, its resources and use for recreation.

#### § 3585.4-3 Relinquishment of claims.

Prior to the issuance of a lease, the applicant shall relinquish in writing any right or interest in his/her mining claim(s) as of the date the lease covering such claim(s) becomes effective.

### § 3585.5 Exploration license.

#### § 3585.5-1 Exploration license.

Private parties, jointly or severally, may apply for exploration licenses to explore known hardrock mineral deposits which are not under lease or within an area subject to application and lease